

Remarks

Rejection Under 35 U.S.C. § 112 ¶ 1

Claims 1-40 and 43-47 stand rejected as having inadequate written description. Specifically, the Patent Office contends that the specification lacks written support with respect to the phrase “elicits *Pol*-specific immune response.” Office Action at page 4 ¶ 1 to page 7 ¶ 1. This phrase is deleted to advance prosecution. Please withdraw the rejection.

Rejection Under 35 U.S.C. § 101

Claims 1, 5-11, and 19-21 stand rejected under 35 U.S.C § 101 as claiming the same invention as that of claims 1, 16-22, and 30-32 of U.S. Patent No. 7,211,659. Office Action at page 11 ¶ 2. To advance prosecution, claim 1 is amended to recite that the polynucleotide “consists essentially of” SEQ ID NOS:30, 31, or 32. Please withdraw the rejection.

Respectfully submitted,

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